

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

OK

September 14, 2006

TO: Internal File

THRU: Wayne Western, Engineer/Team Lead *W44*
D. Wayne Hedberg, Permit Supervisor

FROM: Karl R. Houskeeper, Environmental Scientist III *KRH by an*

RE: Midterm Permit Review, Canyon Fuel Company, LLC, Banning Siding Loadout, C/007/0034, Task ID #2619, Outgoing File

SUMMARY:

Midterm Permit Review (2006) of the Engineering Section for the Banning Siding Loadout Canyon Fuel Company, LLC. C/007/034.

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TECHNICAL ANALYSIS:

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

The Banning Loadout went into "...temporary cessation since approximately May 5, 2000..." according to an OSM oversight inspection dated April 14, 2003 by Henry Austin.

Several structures and facilities have been removed from the Banning Loadout site. The text contained in Section R645-301-526.110 has not been updated to reflect the current status of the facilities.

Table 5-1 referred to in Section R645 -301-526.110 has not been updated to show the removal of structures at the Banning Loadout facilities. The table should include the dates that the structures were removed. This date can be inserted into the "Present Condition" column. A review of the records located in the Price Field Office did not show when the structures were removed.

Findings:

Information provided in the mining and reclamation plan is not considered adequate to meet the requirements of this section. Prior to approval, the permittee must provide the following in accordance with:

R645-301-526, The narrative contained in section R645-301-526.110 of the mining and reclamation plan shall be updated to reflect the current status of the facilities, including updating Table 5-1 to show the dates that each structure was removed under the "Present Condition" column.

RELOCATION OR USE OF PUBLIC ROADS

Regulatory Reference: 30 CFR 784.18; R645-301-521, -301-526.

Analysis:

The haulage road parallels U.S. highway 50-6 for approximately 1200 feet, then turns toward the permit area. Portions of this haulage road lie within 100 feet of U.S. 50-6. The haulage/access road connects to U.S. Highway 50-6 at a perpendicular intersection and is used as an ingress and egress to the site. U.S. Highway 50-6 is the only public road within 100 feet of the permit area. The portion of the permit area within the 100 foot designation is the haulage/access road. The facilities area is not located within 100 feet of U.S. 50-6.

Findings:

Information provided in the mining and reclamation plan meets the minimum requirements of this section.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Subsidence Control Plan

There is no underground mining at this site. The site is a surface loadout facility.

Findings:

Information provided in the mining and reclamation plan meets the minimum requirements of this section.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

Analysis:

Road Classification System

All of the roads at the Banning Loadout site are classified as Primary Roads.

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Plans and Drawings

Exhibit 5-7 shows the designs of the roads with in the permit area. Two typical cross sections are given.

Primary Road Certification

Exhibit 5-7 is P.E. certified, stamped and dated.

Findings:

Information provided in the mining and reclamation plan meets the minimum requirements of this section.

SUPPORT FACILITIES AND UTILITY INSTALLATIONS

Regulatory Reference: 30 CFR Sec. 784.30, 817.180, 817.181; R645-301-526.

Analysis:

A post mining land use change has been reviewed and approved by the Division to allow the substation to remain in place for use by Eastcarbonics to develop a CO₂ plant adjacent to the permit area

Findings:

Information provided in the mining and reclamation plan meets the minimum requirements of this section.

SIGNS AND MARKERS

Regulatory Reference: 30 CFR Sec. 817.11; R645-301-521.

Analysis:

Mine ID signs will be posted at each point of public access. Perimeter posts or rods will be place around the permit area with red reflectors on top of the posts or rods.

Findings:

Information provided in the mining and reclamation plan meets the minimum requirements of this section.

USE OF EXPLOSIVES

Regulatory Reference: 30 CFR Sec. 817.61, 817.62, 817.64, 817.66, 817.67, 817.68; R645-301-524.

Analysis:

No explosives will be stored on site and the need to use explosives on site is not anticipated. If the use of explosives is needed the plan indicates they will be transported in and the appropriate laws and regulations will be followed.

Findings:

Information provided in the mining and reclamation plan meets the minimum requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Mining Facilities Maps

Several structures at the Banning Loadout facility have been removed. The Surface Facilities map Exhibit 5-2 still shows all of the structures on the map. The map needs to be updated to show the current facilities at the Banning Loadout.

Findings:

Information provided in the mining and reclamation plan is not considered adequate to meet the requirements of this section. Prior to approval, the permittee must provide the following in accordance with:

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R645-301-526, Exhibit 5-2 Surface Facilities map shall be updated to show the existing structures at this facility. Any structures that are not at this location need to be removed from the map.

RECOMMENDATIONS:

The midterm permit review should not be approved until the concerns listed in this memo have been addressed.

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